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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NICHOLAS JAMES WILLING,

Petitioner,

v.

BRIAN E. WILLIAMS, SR., et al.,

Respondents.

Case No. 2:14-cv-01194-RFB-CWH

ORDER

This action is a 28 U.S.C. § 2254 petition for a writ of habeas corpus filed by Nicholas James Willing, a Nevada state prisoner. On June 22, 2017, this court granted a stay and administratively closed this case pending the completion of petitioner's state postconviction litigation (ECF No. 59).

Willing is currently represented by the Federal Public Defender for the District of Nevada (FPD). On September 20, 2017, Willing's counsel filed a motion to temporarily lift stay and a motion to withdraw as counsel (ECF Nos. 61, 62). Counsel advises that a conflict has arisen due to an irreparable breakdown in the attorney-client relationship between counsel and his supervisors and Mr. Willing (ECF No. 62, p. 2). Counsel notes that, among other issues, Willing filed with this court a letter that Willing states he sent to the American Bar Association complaining about the FPD's representation (see ECF No. 60). Good cause appearing, the motion to withdraw as counsel is granted.

1 The court's Criminal Justice Act designee has located counsel willing to be
2 appointed to represent the petitioner herein:

3 Mary Lou Wilson
4 2064 Regent St.
5 Reno, NV 89509
6 (775) 771-8620.

7 Finally, Willing filed four *pro se* motions while he was represented by the FPD.
8 These are fugitive documents that are not properly before the court, and they shall be
9 denied.

10 **IT IS THEREFORE ORDERED** that the motion to temporarily lift stay (ECF No.
11 61) is **GRANTED** for the purposes of this order only.

12 **IT IS FURTHER ORDERED** that the motion to withdraw as attorney (ECF No. 62)
13 is **GRANTED**. The Federal Public Defender is **released as counsel**.

14 **IT IS FURTHER ORDERED** that Mary Lou Wilson is **APPOINTED** to represent the
15 petitioner herein. Ms. Wilson is a Criminal Justice Act panel attorney for the United States
16 District Court, District of Nevada. Ms. Wilson shall represent petitioner in all future
17 proceedings in this court relating to this matter (including subsequent actions) and
18 appeals therefrom, pursuant to 18 U.S.C. § 3006A (a)(2)(B), until allowed to withdraw.

19 **IT IS FURTHER ORDERED** that CJA counsel Mary Lou Wilson shall enter a notice
20 of appearance within **twenty (20) days** of the date of this order.

21 **IT IS FURTHER ORDERED** that petitioner's four *pro se* motions: motion for
22 complete discovery (ECF No. 64); motion for hearing on Senate Bill #182 (ECF No. 65);
23 motion for appointment of counsel (ECF No. 68); and motion for hearing on newly
24 discovered evidence (ECF No. 70) are all **DENIED**.

25 DATED: 12 December 2017.



26 RICHARD F. BOULWARE, II
27 UNITED STATES DISTRICT JUDGE
28